

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE JOINT APPLICATION)
OF VERIZON DELAWARE INC. (F/K/A BELL)
ATLANTIC-DELAWARE, INC.), AND CELLCO)
PARTNERSHIP, D/B/A VERIZON WIRELESS)
(F/K/A BELL ATLANTIC NYNEX MOBILE, INC.),) PSC DOCKET NO. 97-61
FOR APPROVAL OF AN INTERCONNECTION)
AGREEMENT PURSUANT TO SECTION 252(e) OF)
THE TELECOMMUNICATIONS ACT OF 1996)
(FILED FEBRUARY 26, 1997))

FINDINGS, OPINION, AND ORDER NO. 6495

A. BACKGROUND

1. On February 26, 1997, Cellco Partnership, d/b/a Verizon Wireless ("VZW") (f/k/a Bell Atlantic NYNEX Mobile, Inc.), and Verizon Delaware Inc. ("Verizon") (f/k/a Bell Atlantic-Delaware, Inc.), asked the Commission to approve an interconnection agreement and Amendment No. 1 negotiated between the two parties. By PSC Order No. 4484 (April 29, 1997), the Commission approved the negotiated agreement and Amendment No. 1 under the standards set forth in 47 U.S.C. § 252(e)(2)(A). That Order required the parties to submit for approval any later changes to the approved agreement.¹

2. On August 6, 2004, Verizon filed a letter including Amendment No. 3 to the Interconnection Agreement between Verizon and VZW. The Amendment, effective January 1, 2004, describes a revised rate plan that will govern the payment of reciprocal compensation for traffic between VZW and Verizon.

3. Pursuant to Guideline 30 of the Commission's "Guidelines for Negotiations, Mediation, Arbitration, and Approval of Agreements Between

¹Amendment No. 2 was approved by PSC Order No. 6095 (Jan. 7, 2003).

Local Exchange Telecommunications Carriers" (as revised effective May 10, 2001), notice of the filing of the Amendment was posted on the Commission's website.

4. Only Staff filed comments in response to the notice. Staff reported that there was no reason to reject the proffered Amendment. The Commission considered the Amendment at its meeting of October 19, 2004.

B. FINDINGS AND OPINION

5. The Commission has the authority and jurisdiction to review the Amendment to the interconnection agreement under 47 U.S.C. § 252(e)(1) and 26 Del. C. § 703(4).

6. The Commission determines that there is no reason to reject the Amendment under the review criteria set forth in 47 U.S.C. § 252(e)(2)(A). The Commission has not received any information to suggest that the terms of this Amendment discriminate against other carriers or that implementation of the Amendment would be inconsistent with the public interest.

7. The approval granted here is given under the terms of 47 U.S.C. § 252(e)(2)(A). Specifically, the Commission does not make any finding whether the terms and prices set forth in the Amendment meet the substantive requirements of 47 U.S.C. § 251 or the pricing standard under 47 U.S.C. § 252(d).

C. ORDERING PARAGRAPHS

Now, therefore, this 19th day of October, 2004, **IT IS ORDERED:**

1. That, the Amendment to the interconnection agreement entitled Amendment No. 3, submitted by Verizon Delaware Inc. (f/k/a Bell Atlantic-

Delaware, Inc.), and Cellco Partnership, d/b/a Verizon Wireless (f/k/a Bell Atlantic NYNEX Mobile, Inc.), on August 6, 2004, is hereby approved under 47 U.S.C. § 252(e) (2) (A) .

2. That, the terms and conditions set forth in PSC Orders Nos. 4484 (Apr. 29, 1997) and 6095 (Jan. 7, 2003) shall remain in force and effect.

3. That, within ten (10) days of this Order, Verizon Delaware Inc. (f/k/a Bell Atlantic-Delaware, Inc.), and Cellco Partnership, d/b/a Verizon Wireless (f/k/a Bell Atlantic NYNEX Mobile, Inc.), shall file with the Commission a revised, complete interconnection agreement which shall incorporate Amendment No. 3. The revised agreement may substitute the new provisions or attach the amendment to the previously approved interconnection agreement. The revised agreement shall be available for public inspection and copying pursuant to the provisions of 47 U.S.C. § 252(h) .

4. That, pursuant to the provisions of 47 U.S.C. § 252(i), Verizon Delaware Inc., shall make available any interconnection, service, or network element provided under the above agreement to any other requesting telecommunications carrier upon the same terms and conditions as provided in the agreement.

5. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

PSC Docket No. 97-61, Order No. 6495 Cont'd.

/s/ Joshua M. Twilley
Vice Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary